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DATE: June 23, 2004

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Fax No.: 703-872-9306

Art Unit 1617

FROM:

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Fax No.: 215-628-1345

NUMBER OF PAGES 2 INCLUDING THIS COVER PAGE.

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Re: Serial No. 10/009,453 filed 11-05-2001
Attorney's Docket: H 4132 PCT/US

- Notice of Appeal (1 page)

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NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES		Docket Number (Optional) H 4132 PCT/US	
I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office on the date shown below. Date <u>June 23, 2004</u> Signature <u>Mardene Capreri</u> Typed or printed name <u>Mardene Capreri</u>		In re Application of <u>Fabry et al.</u> Application Number <u>10/009,453</u> Filed <u>11/05/2001</u> For <u>COSMETIC OR PHARMACEUTICAL UTILIZATION OF NANOSCALIC METAL SOAPS</u> Art Unit <u>1617</u> Examiner <u>Lauren Q. Wells</u>	
Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the examiner.			
The fee for this Notice of Appeal is (37 CFR 1.17(b))		\$ <u>330.00</u>	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is:		\$ _____	
<input type="checkbox"/> A check in the amount of the fee is enclosed.		RECEIVED CENTRAL FAX CENTER JUN 23 2004	
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I am the <input type="checkbox"/> applicant/inventor. <input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed (Form PTO/SB/96) <input checked="" type="checkbox"/> attorney or agent of record. Registration Number <u>36,296</u> <input type="checkbox"/> attorney or agent acting under 37 CFR 1.34(a). Registration Number if acting under 37 CFR 1.34(a) _____		Signature _____ <u>Steven J. Trzaska</u> Typed or printed name _____ <u>215-628-1416</u> Telephone number _____ <u>June 23, 2004</u> Date _____ <u>23657</u> Customer Number _____	
NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*			
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This collection of information is required by 37 CFR 1.191. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.